

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: By Chairman Edward B. Butcher, on February 15,
2007 at 3:00 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Edward B. Butcher, Chairman (R)
Rep. Carol Lambert, Vice Chairman (R)
Rep. Jonathan Windy Boy, Vice Chairman (D)
Rep. Shannon Augare (D)
Rep. Scott Boggio (R)
Rep. Mary Caferro (D)
Rep. Julie French (D)
Rep. Ralph Heinert (R)
Rep. Teresa K. Henry (D)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Jim Keane (D)
Rep. Krayton Kerns (R)
Rep. Bruce Malcolm (R)
Rep. Scott Mendenhall (R)
Rep. Diane Rice (R)
Rep. John (Jack) W. Ross (R)
Rep. Dan Villa (D)

Members Excused: None

Members Absent: None

Staff Present: Dee Barfknecht, Committee Secretary
Krista Lee Evans, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing: HJ 29
Executive Action: HB 326, HB 392, HB 396, HB 484
HJ 23

HEARING ON HJ 29

Opening Statement by Sponsor:

00:02:00 Rep. Sue Dickenson (D), HD 25, opened the hearing on HJ 29, Resolution on protecting family farm & ranch/ re: corporate farming laws.

Proponents' Testimony:

00:04:44 Diana Adamson, Rancher

EXHIBIT(1)

00:06:56 Nancy Peterson, Director, Montana Department of Agriculture

EXHIBIT(2)

00:08:53 Tracy Houck, Farmers Union

00:10:19 Katie Kassmier, Farmers Union

EXHIBIT(3)

Opponents' Testimony:

00:13:03 Darin Arganbright, Montana Grain Growers Association

00:14:06 Errol Rice, Montana Stock Growers Association

Informational Testimony:

00:20:48 Pat Torgerson, Rancher

Questions from Committee Members and Responses:

00:22:06 Rep. Rice

00:23:38 Rep. Dickenson

00:23:43 Rep. Rice

00:24:00 Ms. Kassmier

Closing by Sponsor:

00:24:19 Rep. Dickenson

EXECUTIVE ACTION ON HB 326

00:29:34 **Motion:** Rep. Jopek moved that **HB 326 DO PASS.**

Discussion:

00:29:45 Rep. Jopek

00:31:34 Rep. Kerns

00:32:18 **Vote:** Motion that **HB 326 DO PASS** failed by roll call vote, 5-13. Reps. Jopek, Windy Boy, Keane, Caferro and Henry voted aye. Rep. Keane voted by proxy.

00:33:38 **Substitute Motion/Vote:** Rep. Lambert made a substitute motion that **HB 326 BE TABLED AND THE VOTE REVERSED**. Substitute motion carried unanimously by voice vote, 18-0. Rep. Keane voted by proxy.

EXECUTIVE ACTION ON HB 392

00:34:17 **Motion:** Rep. Windy Boy moved that **HB 392 DO PASS**.

00:34:27 **Motion:** Rep. Windy Boy moved that **HB 392 BE AMENDED**.
(Amendment from hearing on 02/01/07)

Discussion:

00:35:06 Rep. Windy Boy

00:35:10 Krista Evans

00:37:08 Rep. Windy Boy

00:37:33 **Vote:** Motion that **HB 392 BE AMENDED** carried unanimously by voice vote, 18-0. Rep. Keane voted by proxy.

00:38:01 **Motion:** Rep. Windy Boy moved that **HB 392 DO PASS AS AMENDED**.

Discussion:

00:38:14 Rep. Lambert

00:39:59 Rep. Henry

00:40:35 Rep. Lambert

00:41:59 Rep. Henry

00:42:44 Rep. Kerns

00:43:15 Chairman Butcher

00:43:47 Rep. Villa

00:43:51 Ms. Evans

00:45:47 Rep. Villa

00:45:52 Ms. Evans

00:46:08 Rep. Ross

00:46:50 **Vote:** Motion that **HB 392 DO PASS AS AMENDED** carried by roll call vote, 10-8. Reps. Lambert, Butcher, Rice, Kerns, Heinert, Boggio, Mendenhall and Malcolm voted no. Rep. Keane voted by proxy.

EXECUTIVE ACTION ON HB 396

00:48:41 **Motion:** Rep. Jopek moved that **HB 396 DO PASS.**

Discussion:

00:49:08 Rep. Henry

00:50:42 Rep. Ross

00:51:47 **Vote:** Motion that **HB 396 DO PASS** failed by roll call vote 2-16. Reps. Windy Boy and Keane voted aye. Rep. Keane voted by proxy.

00:51:51 **Substitute Motion/Vote:** Rep. Lambert made a substitute motion that **HB 396 BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote, 18-0. Rep. Keane voted by proxy.

EXECUTIVE ACTION ON HB 484

00:52:08 **Motion:** Rep. Rice moved that **HB 484 DO PASS.**

00:52:21 **Motion:** Rep. Rice moved that **HB 484 BE AMENDED.**
EXHIBIT(4)

Discussion:

00:52:55 Rep. Rice

00:53:02 Ms. Evans

00:54:25 **Motion/Vote:** Rep. Villa moved that **SECTION 1 OF THE AMENDMENT FOR HB 484 BE SEGREGATED.** Motion carried unanimously by voice vote, 18-0. Rep. Keane voted by proxy.

Discussion:

00:55:45 Chairman Butcher

00:56:07 Rep. Villa

00:56:10 Ms. Evans
00:56:17 Chairman Butcher

00:56:22 **Motion/Vote:** Rep. Villa moved that **HB 484 BE AMENDED WITH SECTION 1 OF THE AMENDMENT.** Motion carried unanimously by voice vote 18-0. Rep. Keane voted by proxy.

Discussion:

00:57:25 Rep. Villa
00:58:26 Rep. Henry
00:58:53 Ms. Evans
00:58:56 Rep. Henry
00:59:02 Rep. Augare
00:59:35 Chairman Butcher
01:00:53 Rep. Rice
01:01:10 Chairman Butcher
01:01:48 Rep. Windy Boy
01:02:44 Rep. Heinert
01:03:33 Rep. Rice
01:04:14 Rep. Ross

01:04:57 **Motion:** Rep. Boggio moved that **HB 484, BE AMENDED WITH SECTIONS 2-6 OF THE AMENDMENT.**

Discussion:

01:05:01 Chairman Butcher

01:06:35 **Vote:** Motion that **HB 484 DO PASS AS AMENDED WITH SECTIONS 2-6 OF THE AMENDMENT** carried by roll call vote, 11-7. Reps. Windy Boy, Keane, Caferro, French, Henry, Villa and Jopek voted no. Rep. Keane voted by proxy.

01:06:54 **Motion:** Rep. Rice moved that **HB 484, DO PASS AS AMENDED.**

Discussion:

01:07:13 Rep. French
01:07:19 Rep. Jopek
01:11:03 Chairman Butcher
01:11:27 Rep. Jopek
01:12:25 Rep. Rice

01:14:33 Rep. Malcolm
01:17:35 Rep. Boggio
01:18:52 Rep. Lambert
01:20:27 Rep. Ross
01:20:44 Chairman Butcher

01:23:26 **Vote:** Motion that **HB 484 DO PASS AS AMENDED** failed by roll call tie vote 9-9. Reps. Lambert, Rice, Augare, Ross, Jones, Kerns, Boggio, Mendenhall and Butcher voted aye. Rep. Caferro and Keane voted by proxy.

EXECUTIVE ACTION ON HJ 23

01:24:09 **Motion:** Rep. Windy Boy moved that **HJ 23 DO PASS.**

01:24:19 **Motion:** Rep. Windy Boy moved that **HJ 23 BE AMENDED.**
EXHIBIT(5)

Discussion:

01:24:28 Rep. Lambert
01:24:39 Ms. Evans

01:26:25 **Vote:** Motion that **HJ 23 BE AMENDED** carried unanimously by voice vote, 18-0. Rep. Jopek and Butcher voted by proxy.

01:26:59 **Motion:** Rep. Windy Boy moved that **HJ 23 DO PASS AS AMENDED.**

Discussion:

01:27:17 Rep. Mendenhall

01:29:55 **Vote:** Motion that **HJ 23 DO PASS AS AMENDED** failed by roll call vote, 8-10. Reps. Windy Boy, Augare, Keane, Caferro, French, Henry, Villa and Jopek voted aye. Reps. Jopek and Villa voted by proxy.

01:29:58 **Substitute Motion/Vote:** Rep. Lambert made a substitute motion that **HJ 23 BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote, 18-0. Reps. Villa and Jopek voted by proxy.

Additional Discussion:

01:31:30 Rep. Caferro
01:31:33 Rep. Lambert
01:31:37 Rep. Mendenhall
01:31:41 Rep. Caferro
01:31:44 Chairman Butcher
01:31:49 Ms. Evans
01:31:58 Chairman Butcher

Additional Exhibits:

Document Pertaining to HB 537, Hearing Date 02/13/07
EXHIBIT(6)

ADJOURNMENT

01:32:29 Adjournment

REP. EDWARD BUTCHER, Chairman

DEE BARFKNECHT, Secretary

EB/db